

HOUSE BILL 3017

By Lollar

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 13, relative to appeal from denials of  
charter school applications.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-13-106(b)(2)(B), is amended by deleting the language "state board of education" and by substituting instead the language "commissioner of education" in the third sentence of the subdivision.

SECTION 2. Tennessee Code Annotated, Section 49-13-108(3), is amended by deleting in its entirety the third sentence, which reads as follows:

Within sixty (60) days after receipt of the notice of appeal or the making of a motion to review by the state board and after reasonable public notice, the state board, at a public hearing attended by the board or its designated representative and held in the school district in which the proposed charter school has applied for a charter, shall review the decision of the local board of education and make its findings.

and by substituting instead the following:

Within sixty (60) days after receipt of the notice of appeal or the making of a motion to review by the commissioner and after reasonable public notice, the commissioner or the commissioner's designee shall conduct a public hearing in the school district in which the proposed charter school has applied for a charter. If the commissioner's designee conducts the hearing, the designee shall make a recommendation to the commissioner. The commissioner shall review the decision of the local board of education and the designee's recommendation, if applicable, and make a finding or findings.

SECTION 3. Tennessee Code Annotated, Section 49-13-108, is amended by deleting the language "state board" wherever it appears and by substituting instead the word "commissioner".

SECTION 4. Tennessee Code Annotated, Section 49-13-121(b), is amended by deleting the language "state board" wherever it appears and by substituting instead the word "commissioner".

SECTION 5. Tennessee Code Annotated, Section 49-13-122(c), is amended by deleting the language "state board of education" wherever it appears and by substituting instead the language "commissioner of education".

SECTION 6. Tennessee Code Annotated, Section 49-13-122(c), is further amended by deleting the language "State board appeals" and by substituting the language "Appeals to the commissioner".

SECTION 7. This act shall take effect July 1, 2012, the public welfare requiring it, and shall apply to appeals from denials by local boards of education of applications to establish charter schools filed on or after that date.